

**An Ordinance Replacing Ordinance dated November 21<sup>st</sup>, 2005 Relating to  
Manchester Water Works Water Rates**

**Ordinance # 2015.007**

Be it ordained by the City of Manchester, Kentucky that the minimum monthly rates for customers of the City of Manchester, Kentucky Water Department shall be as follows:

- 1) Customers within the city limits - \$8.00 for water usage from 0 -2,000 gallons per month.
- 2) Customers outside the city limit of Manchester, Kentucky - \$15.00 for water usage from 0 – 2,000 gallons per month with a 2% increase for 10 years.
- 3) Customers for the Hima Sibert Water District - \$16.13 for water usage from 0 – 2,000 gallons per month with a 2% increase for 10 years.

Whereas, this ordinance establishes the minimum rate for minimum water usages each month, and,

Whereas, other water rates as now charged by the City of Manchester for water usage in excess of 2,000 gallons per month, shall remain the same as is currently in place.

Whereas, this ordinance does not apply to “large usage” customers that are covered by separate water agreements or water contracts.

This ordinance shall become effective upon publication.

**BE IT SO ORDAINED BY THE CITY OF MANCHESTER** on this the day on 13<sup>th</sup>, day of January, 2016.

**ATTEST:**

**YEAS**

**NAYS**

Jamey Mills

Absent

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Darnell Hipsher

X

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Betty Meredith

X

\_\_\_\_\_

Claude Davis

X

\_\_\_\_\_

Deanne Hensley

X

\_\_\_\_\_

Penny Robinson

X

\_\_\_\_\_

Fred Rogers

X

\_\_\_\_\_

Esther Thompson

X

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, Mayor

, City Clerk

Date: 11-10-2015

(First reading)

Date: 11-16-2015

(Second reading)

Date: 01-13-2016

(Adopted)

ORDINANCE NO. 53

AN ORDINANCE OF THE CITY OF MANCHESTER,  
KENTUCKY, AMENDING THE RATES AND CHARGES FOR  
THE USE OF AND THE SERVICE RENDERED BY THE  
COMBINED AND CONSOLIDATED WATERWORKS AND  
SEWER OF THE CITY OF MANCHESTER, KENTUCKY.

WHEREAS, the City Council of the City of Manchester,  
Kentucky, is in the process of arranging to finance the  
construction of certain extensions, additions and improvements to  
the existing combined and consolidated waterworks and sewer  
system (the "System") of the City, and

WHEREAS, it is necessary in connection with said plan  
of financing that the existing monthly water rates be increased  
and that the existing water connection charges be reaffirmed, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF  
MANCHESTER, KENTUCKY, AS FOLLOWS:

Section 1. Amendment of Existing Water Rates. That  
the water rates applicable to water service furnished by the  
System of the City, which water rates were established by an  
Ordinance enacted on September 10, 1979, are hereby amended so as  
to increase the water rates for services rendered by said System  
of the City as set forth herein.

Section 2. New Monthly Water Rates. That the rates  
and charges for water service furnished by the City are hereby  
fixed and established on a monthly basis as follows:

A. Minimum Water Rate. The respective minimum water  
bills, for which each water customer shall be entitled to 2,000  
gallons (or less) of water in each month shall be as follows:

For customers inside the City Limits - \$5.00

For customers outside the City Limits - \$9.00

B. Meter Rates for Water Usage in Addition to Minimum  
Charge. Subject to the respective minimum monthly water rates  
specified above, the following metered charges shall be made for  
each 1,000 gallons or less of water consumption per month to  
customers of all size water connections:

### INSIDE CITY LIMITS

<u>Number of Gallons of Water Per Month</u>	<u>Water Charge Per 1,000 Gallons Per Month</u>
First 2,000 Gallons	\$5.00 (Minimum Monthly Charge)
Next 8,000 Gallons	\$1.70
Next 10,000 Gallons	\$1.50
Next 20,000 Gallons	\$1.30
All over 40,000 Gallons	\$1.20

### OUTSIDE CITY LIMITS

<u>Number of Gallons of Water Per Month</u>	<u>Water Charge Per 1,000 Gallons Per Month</u>
First 2,000 Gallons	\$9.00 (Minimum Monthly Charge)
Next 8,000 Gallons	\$3.05
Next 10,000 Gallons	\$2.70
Next 20,000 Gallons	\$2.40
All over 40,000 Gallons	\$2.15

### WHOLESALE RATES

Wholesale customer	\$1.50 per 1,000 gallons
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**Section 3. Monthly Sewer Rates.** That the rates or charges for sewer service shall continue to be the rates or charges set forth in the Amended Sewer Rate Ordinance No. 52, dated December 18, 1989.

**Section 4. Connection Charges.** That the waterworks connection charge shall be \$250.00 for 3/4" size connections and the sewer connection charge shall be \$200.00..

**Section 5. Multiple Users on One Meter.** Where two or more tenants or occupants (of different rental units) of property, including duplexes, apartment houses, mobile home parks, trailer parks or other multi-unit premises, are served by a single water meter, the rates and charges to each tenant or occupant shall be computed by dividing the number of gallons of water registered by such single meter by the number of customers being served through such meter and then applying the result thus obtained to the water rate schedule set out in Section 2 above, to arrive at the monthly bill for each tenant or occupant. Each tenant or occupant shall be separately billed unless the owner or operator of the property has agreed with the City to pay the total monthly water bill for such property. In no event shall the monthly bill applicable to each tenant or occupant be less than the minimum water rate stipulated in Section 2 above.

Section 6. Rates are Exclusive of Sales Tax. That the foregoing rates are rates to be charged by the City of Manchester, and any applicable sales tax shall be added to each bill as a separate charge.

Section 7. Billing; Collection; Penalty. That the rates or charges aforesaid shall be billed monthly, through a statement which shall be issued on or about the first of each month, and all bills for such service shall be considered due and payable ten days after the date of issue. If a bill is not paid within ten days after such date of issue, such bill shall be considered delinquent, and there shall be imposed a penalty on each bill not so paid, in an amount equal to ten percent (10%) of the charges (other than sales tax) shown on the face amount of such delinquent bill. When a bill has been delinquent for twenty days, the City shall serve a customer written notice of his delinquency, and of the fact that such customer is entitled, upon written request, to a hearing on the question of termination of service. If such bill is not paid within ten days after the mailing of such notice, and if no hearing is requested, or if a hearing is requested and timely held, and such customer's delinquency is thereby established, the City may disconnect the water service of such customer without further notice. If any deadline date falls on a Sunday or legal holiday, such deadline shall not expire until the next business day thereafter.

Section 8. Disconnection and Reconnection Charge.

A. Disconnection for Nonpayment of Bill. That if water service is disconnected by the City by reason of delinquency in the payment of any water and/or sewer bill, reconnection of such service shall not be made until the owner or user pays all charges and penalties owed, plus the amount of \$20.00 as a disconnection and reconnection charge.

B. Voluntary Disconnection and Reconnection. That in the event (1) a customer whose water service has been disconnected because of delinquency in the payment of a water and/or sewer bill elects not to have such water service reconnected or (2) a customer who voluntarily requests that his water service be disconnected, subsequently requests reconnection, such customer shall pay to the City, before water service is restored to his premises, any delinquent water and/or sewer bill owed by such customer, including the penalty on such bill, plus the disconnection and reconnection charge (\$20.00) prescribed in subsection A of this Section 8; plus an amount equal to the lesser of

- (a) the minimum monthly water rate for each month during which such customer was disconnected,
- (b) the minimum monthly water rate for a period of one year, or

- (c) the applicable connection charge at that time for new water customers.

**Section 9. Former Provisions Reaffirmed.** That all other provisions of the Rate Ordinance, dated June 1, 1964 and the Amended Rate Ordinance, dated September 10, 1979, not specifically amended herein, are hereby re-adopted and re-affirmed and made a part as if copied in full herein.

**Section 10. By-Laws, Rules and Regulations Incorporated by Reference.** That the City Council has adopted By-Laws, Rules and Regulations for the operation of the System of the City. Such By-Laws, Rules and Regulations are incorporated in this Ordinance by reference and made a part hereof. Copies of such By-Laws, Rules and Regulations are on file at the office of the City Clerk, where same may be examined by any interested parties.

**Section 11. Severability.** That if any clause, provision, paragraph or section of this Ordinance be ruled void or unenforceable by any court of competent jurisdiction, the remainder thereof is intended to be enacted and shall be in full force and effect notwithstanding.

**Section 12. All Former Provisions in Conflict Repealed; Effective Date of Ordinance.** That all orders, ordinances, motions or parts thereof, insofar as same may be in conflict herewith, are repealed, and this Ordinance shall take effect from and after its passage, approval and publication as provided by law.

Introduced and given first reading on April 16, 1990.

Given second reading and passed on May 21, 1990.

CITY OF MANCHESTER, KENTUCKY

  
Mayor

Attest:

  
City Clerk

CERTIFICATE OF CITY CLERK

I, Wanda Marcum, hereby certify that I am the duly qualified and acting City Clerk of the City of Manchester, Kentucky, that the foregoing Ordinance is a true copy of an Ordinance given first reading at a meeting held on April 16, 1990, and given second reading and duly enacted by the City Council of said City at a meeting held on May 21, 1990, that said Ordinance has been ordered to be published as required by law, and that said Ordinance appears as a matter of public record in the official records of the City Council.

I further certify that said meeting was duly held in accordance with all applicable requirements of Kentucky law, including KRS 61.810, 61.815, 61.820 and 61.825, that a quorum was present at said meeting, that said Ordinance has not been modified, amended, revoked or repealed, and that same is now in full force and effect.

IN WITNESS WHEREOF, I have hereto set my hand as City Clerk of the City and the official Seal of the City on this 21st day of May, 1990.

Wanda Marcum  
City Clerk

(Seal of City)